



# CITY OF LODI COUNCIL COMMUNICATION

**AGENDA TITLE:** Adopt Resolution Accepting Improvements at 33 North Cluff Avenue

**MEETING DATE:** April 19, 2006

**PREPARED BY:** Public Works Director

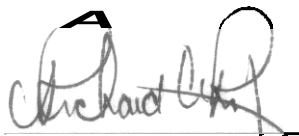
**RECOMMENDED ACTION:** That the City Council adopt a resolution accepting the development improvements at 33 North Cluff Avenue.

**BACKGROUND INFORMATION:** Improvements at 33 North Cluff Avenue have been completed in substantial conformance with the requirements of the improvement agreement between the City of Lodi and Cluff LLC, a California Limited Liability Company, and Robert Burns Construction, Inc., a California Corporation, as approved by the City Manager on April 6, 2004, and as shown on Drawings No. 003D056-01 through 003D056-5.

The improvements included the widening of the west side of Cluff Avenue. Approximately 530 lineal feet of curb, gutter and sidewalk, approximately 10,500 square feet of asphalt pavement and utility connections for the new parcels were installed. The right-of-way for Cluff Avenue had been previously dedicated to the City of Lodi. No public streets were dedicated as a condition of this improvement agreement.

**FISCAL IMPACT:** There will be a slight increase in long-term maintenance costs due to the new street improvements that have been added to the City's system.

**FUNDING AVAILABLE:** Not applicable.

  
 Richard C. Prima, Jr.  
 Public Works Director

Prepared by Wesley K. Fujitani, Senior Civil Engineer

RCP/WKF/pmf

cc. City Attorney  
 Senior Civil Engineer - Development Services  
 Senior Traffic Engineer  
 Street Superintendent  
 Senior Engineering Technician  
 Chief Building Inspector

**APPROVED:**   
 Blair King, City Manager

RESOLUTION NO. 2006-60

A RESOLUTION OF THE LODI CITY COUNCIL  
ACCEPTING THE DEVELOPMENT IMPROVEMENTS  
INCLUDED IN THE IMPROVEMENT AGREEMENT  
FOR 33 NORTH CLUFF AVENUE

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The City Council of the City of Lodi finds:

1. That the requirements of the Improvement Agreement between the City of Lodi and Cluff LLC, a California Limited Liability Company, and Robert Burns Construction, Inc., a California Corporation, for the development improvements at 33 North Cluff Avenue have been substantially complied with. The improvements are shown on Drawing **Nos.** 003D056-01 through 003D056-5, on file in the Public Works Department and as specifically set forth in the plans and specifications approved by the City Council on April 6, 2004; and
2. That no public streets were dedicated as a condition of this improvement agreement.

Dated: April 19, 2006

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I hereby certify that Resolution No. 2006-60 was passed and adopted **by** the City Council of the City of Lodi in a regular meeting held April 19, 2006, by the following vote:

AYES: COUNCIL MEMBERS – Beckman, Hansen, Johnson, Mounce, and  
Mayor Hitchcock

NOES: COUNCIL MEMBERS – None

ABSENT: COUNCIL MEMBERS – None

ABSTAIN: COUNCIL MEMBERS – None

SUSAN J. BLAC TON  
City Clerk

CITY COUNCIL

SUSAN HITCHCOCK, Mayor

BOB JOHNSON,  
Mayor Pro Tempore

JOHNBECKMAN

LARRY D. HANSEN

JOANNE MOUNCE

# CITY OF LODI



## PUBLIC WORKS DEPARTMENT

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BLAIR KING,  
City Manager

SUSAN J. BLACKSTON,  
City Clerk

D. STEPHEN SCHWABAUER,  
City Attorney

RICHARD C. PRIMA, JR.,  
Public Works Director

April 20, 2006

Cluff, LLC  
908 W. Turner Road  
Lodi, CA 95242

Robert Burns Construction, Inc  
2501 N. Wigwam Drive  
Stockton, CA 95205

SUBJECT: 33 North Cluff Avenue

The City Council of the City of Lodi, at its meeting on April 19, 2006, accepted the public improvements that were made in the subject project.

Enclosed for your files is a copy of the resolution accepting the public improvements. From the date of the resolution, the City of Lodi will maintain the street and other public improvements installed within rights-of-way and public utility easements as shown on the approved plans.

A copy of this letter will be sent to your bonding agency in order that the bond covering faithful performance can be exonerated. The bond covering labor and materials will have to remain in effect for a period of ninety days from the date of the resolution in conformance with State law.

If you have any questions, please contact Rebecca Areida, Management Analyst, at (209) 333-6800, ext. 2658, or me at (209) 333-6709.

A handwritten signature in cursive script, appearing to read "F. Wally Sandelin".

F. Wally Sandelin  
City Engineer

FWS/pmf

Enclosures

cc: Electric Utility Department  
Water/Wastewater Division  
Street Division  
City Clerk  
Management Analyst  
Fidelity and Deposit Company of Maryland

CITY COUNCIL  
SUSAN HITCHCOCK, Mayor

BOB JOHNSON,  
Mayor Pro Tempore  
JOHNBECKMAN  
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Public Works Director

April 20, 2006

Fidelity and Deposit Company of Maryland  
Daniel M. Connolly, Attorney-in-Fact  
560 Mission Street, Ste. 2400  
San Francisco, CA 94105

SUBJECT: 33 North Cluff Avenue

The City Council of the City of Lodi, at its meeting on April 19, 2006, accepted the public improvements in the subject project. A copy of the resolution is enclosed.

This letter is your authorization to exonerate the bond covering faithful performance. The bond covering labor and materials must remain in effect until July 18, 2006, in conformance with the requirements of State law. You will receive no further correspondence regarding the release of the bond for labor and materials unless a claim is filed.

If you have any questions, please contact Rebecca Areida, Management Analyst, at (209) 333-6800, ext. 2658, or me at (209) 333-6709.

F. Wally Sandelin  
City Engineer

FWS/RA/pmf

**Enclosures**

cc: Cluff, LLC  
Robert Bums Construction, Inc.  
City Clerk  
Management Analyst